

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TEDDY ATKINSON,

Petitioner,

-v.-

9:05-CV-0286  
(TJM)

UNITED STATES OF AMERICA,

Respondent.  
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APPEARANCES:

OF COUNSEL:

TEDDY ATKINSON  
Petitioner, *pro se*  
06561-052

OFFICE OF THE UNITED STATES  
ATTORNEY  
15 Henry Street  
319 Federal building  
Binghamton, NY 13901

MIROSLAV LOVRIC, ESQ.

THOMAS J. MCAVOY, SENIOR JUDGE

### ORDER

By Order filed October 27, 2006, this Court denied the Motion for Reconsideration brought by Teddy Atkinson ("Atkinson" or "Petitioner"). See Docket No. 38. Atkinson has appealed such Order to the Second Circuit Court of Appeals. See Docket No. 39. Presently before the Court is Petitioner's request to proceed *in forma pauperis* during the appeal of his case. See Docket No. 41.

Because the Petitioner is indigent, the Court grants Petitioner's request to proceed with this matter *in forma pauperis* for purposes of his appeal to the Second Circuit.

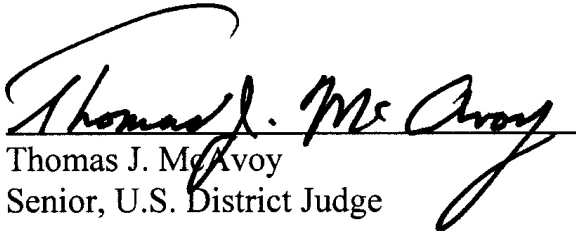
WHEREFORE, it is hereby

ORDERED, that Petitioner's request to proceed with the appeal of this matter *in forma pauperis* (Docket No. 41) is granted, and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: December 4, 2006

  
Thomas J. McAvoy  
Senior, U.S. District Judge